

**MAILED**

**OCT 19 2007**

**U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

**UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE COMMISSIONER OF PATENTS AND TRADEMARKS**

**In re Paul J. Bryan**

**Application No. 09/871,349**

**Filed: May 31, 2001**

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**Appeal No. 2007-1590**

**ORDER GRANTING REQUEST TO RESET HEARING DATE**

An oral hearing before a merits panel of the Board of Patent Appeals and Interferences has been set for November 15, 2007. The notice setting the hearing was mailed to Applicants on October 3, 2007. The date Applicants received the notice is not apparent from the record. On October 16, 2007, a facsimile letter styled Request For Rescheduling Of Hearing was filed, Applicants requested that the oral hearing be rescheduled. The request has been granted.

**According to counsel:**

**Counsel for Applicant in this case has a prior commitment out of the country for November 15, 2007, and can not participate in the hearing. The reason that counsel requests an expeditious resetting of the hearing is that this appeal has been pending for 43 months, and in the course of considering Applicant's brief, the Board has on two occasions, remanded the case to the Examiner for further explanations. The last remand was made shortly before a prior scheduled hearing.**

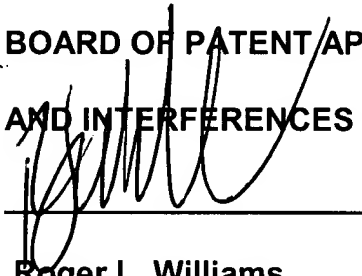
**For the reasons given above it is:**

**Ordered that the request to reschedule the oral hearing to a later date is**

**granted.** Appellant's will be notified in writing of the re-scheduled hearing date.

No further request for postponement will be permitted. Any further request for postponement will be treated as a waiver of the Request for Oral Hearing.

BOARD OF PATENT APPEALS  
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Roger L. Williams  
Chief Office Administrator  
(571-272-9797)

Telephone: (919) 854-1844  
Fax Phone: (919) 854-2084

Larry L. Coats  
Coats & Bennett PLLC  
Raleigh, NC 27602